

CALIFORNIA LEGISLATURE

2019–20 REGULAR SESSION

SENATE DAILY JOURNAL

ONE HUNDRED THIRTY-SIXTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Friday, January 17, 2020

The Senate met at 9 a.m.

Hon. Steven C. Bradford, of the 35th District, presiding.

Secretary Erika Contreras at the Desk.

Assistant Secretary Heshani Wijemanne reading.

PROCEEDINGS UNDER QUORUM CALL OF THE SENATE ROLL CALL

The roll was called and the following Senators answered to their names:

Archuleta, Atkins, Bates, Beall, Borgeas, Bradford, Caballero, Chang, Dahle, Dodd, Durazo, Galgiani, Glazer, Lena Gonzalez, Hertzberg, Hill, Hueso, Hurtado, Jackson, Leyva, McGuire, Monning, Moorlach, Morrell, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Umberg, Wieckowski, Wiener, and Wilk—34.

Quorum present.

(NOTE: Senator Allen will be excused this day on legislative business. Senators Grove, Mitchell, and Rubio will be excused this day on personal business. Senator Jones will be excused this day due to illness in the family.)



PRAYER

Prayer was offered by the Chaplain, Sister Michelle Gorman, RSM:

Gracious God, as we remember the witness of unconditional love lived by Reverend Dr. Martin Luther King Jr., we ask You this day:

Help us seek out and acknowledge the reasons for our slow progress in dismantling racism. Help us to face our fears, resistance, pride, shame, whatever conscious or unconscious motives hold us back from valuing an anti-racist, multicultural society. Guide our civic and religious decisions to uphold and promote the rights of all persons, especially those experiencing marginalization, injustice, bigotry, and prejudice. Continue to remind us that diversity is the hallmark of Your creation, the manifestation of Your presence in myriad sparks of Your divine life on earth. We ask this in Your name.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Dahle led the Senate in the Pledge of Allegiance to the Flag.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Senate Chamber, January 17, 2020

Mr. President: The Committee on Rules has examined:

SB 37

And reports the same correctly engrossed.

ATKINS, Chair

Senate Chamber, January 17, 2020

Mr. President: The Committee on Rules has examined:

SB 755

And reports the same correctly engrossed.

ATKINS, Chair

MOTIONS, RESOLUTIONS AND NOTICES**UNANIMOUS CONSENT TO APPROVE SENATE JOURNALS**

Without objection, the following Senate Journals were approved as corrected by the Minute Clerk:

January 13, 2020

January 14, 2020

January 15, 2020

January 16, 2020

January 17, 2020

At 9:08 a.m., Hon. Anna M. Caballero, of the 12th District, Presiding

CONSIDERATION OF DAILY FILE**THIRD READING OF SENATE BILLS**

Senate Resolution 67—Relative to Dr. Martin Luther King, Jr. Day. Resolution read third time and presented by Senator Bradford.



Roll Call

The roll was called and the resolution was adopted by the following vote:

AYES (34)—Senators Archuleta, Atkins, Bates, Beall, Borgeas, Bradford, Caballero, Chang, Dahle, Dodd, Durazo, Galgiani, Glazer, Lena Gonzalez, Hertzberg, Hill, Hueso, Hurtado, Jackson, Leyva, McGuire, Monning, Moorlach, Morrell, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Umberg, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

**At 9:35 a.m., Hon. Steven C. Bradford, of the 35th District,
Presiding**

LEAVES OF ABSENCE

The following Senator was granted leave of absence for the day on legislative business: Senator Allen.

The following Senators were granted leaves of absence for the day on personal business: Senators Grove, Mitchell, and Rubio.

The following Senator was granted leave of absence for the day due to illness in the family: Senator Jones.

**FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE
SENATE DISPENSED WITH**

At 9:42 a.m., on motion of Senator Atkins, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Atkins moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Tuesday, January 21, 2020.

Motion carried.

MESSAGES FROM THE GOVERNOR

Governor's Office, State Capitol
January 17, 2020

To the Senate of the State of California:

I have the honor to transmit to you herewith the following appointments or reappointments heretofore made by me to offices which by law are to be filled by the Governor. These appointments are subject to Senate confirmation and consent. I hereby nominate these appointees to you and request your confirmation and consent.

Sincerely,

GAVIN NEWSOM, Governor



KIM PATTILLO BROWNSON, has been reappointed to the State Board of Education, where she has served since 2019. Pattillo Brownson has served as vice president for policy and strategy at First 5 Los Angeles since 2016. She was managing director of policy and advocacy at the Advancement Project from 2007 to 2016 and education attorney at the American Civil Liberties Union of Southern California from 2006 to 2007. Pattillo Brownson is a member of the Early Childhood Policy Council. She earned a Juris Doctor degree from Yale Law School. Reappointed 01/16/2020. Effective 01/16/2020.

Member, State Board of Education, vice, self, reappointed. Term ending 01/15/2024.

JOHN SOVEC, has been appointed to the California Board of Behavioral Sciences. Sovec has been a clinical consultant and trainer for Los Angeles Shanti since 1988 and for the Life Group Los Angeles since 2005. He has been a licensed marriage and family therapist in private practice since 2008 and adjunct faculty of postmodern studies at Phillips Graduate Institute since 2012. Sovec is a member of the Lesbian and Gay Psychotherapy Association, California Association of Marriage and Family Therapists, the Life Group Los Angeles advisory board, the Mountain AIDS Foundation advisory board, and the Red Ribbon Foundation advisory board. He earned a Master of Arts degree in psychology from Phillips Graduate Institute. Appointed 12/11/2019. Effective 12/30/2019.

Member, Board of Behavioral Sciences, vice, Vicka M. Stout, not confirmed. Term ending 06/01/2022.

SCOTT W. WU, has been appointed executive director of the California Infrastructure and Economic Development Bank. Wu was partner at Omidyar Network from 2016 to 2019. He was a White House presidential innovation fellow and advisor to the U.S. Agency for International Development from 2013 to 2015. Wu was head of corporate development at Upstart Network from 2012 to 2013, co-founder and managing director at Blue Horizon Equity from 2007 to 2011, and co-founder and general partner at FTV Capital from 1998 to 2003. Wu is a board member of the U.S. Committee for Refugees and Immigrants, MFX Currency Risk Solutions and Callisto. He earned a Master of Business Administration degree from Harvard University. Appointed 12/05/2019. Effective 01/15/2020.

Executive Director, California Infrastructure and Economic Development Bank, vice, Teveia R. Barnes, retired 11/30/2018. Term ending at the pleasure of the Governor.



MARY K. MCCOMB, has been reappointed state public defender in the Office of the State Public Defender, where she has served as state public defender since 2016. McComb held several positions in the Office of the State Public Defender from 1992 to 2015, including supervising deputy state public defender and deputy state public defender. She was an associate attorney at Kelman Loria from 1990 to 1991. McComb was an attorney at the Community Law Center from 1987 to 1990 and a teacher at Commonwealth High School from 1983 to 1984. McComb is a member of California Attorneys for Criminal Justice, the California Public Defenders Association, and the California Appellate Defense Counsel. She earned a Juris Doctor degree from Stanford Law School. Reappointed 01/07/2020. Effective 01/16/2020.

State Public Defender, vice, self, reappointed. Term ending 01/01/2024.

Above appointments and reappointments referred to the Committee on Rules.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, January 17, 2020

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed:

AB 145

SUE PARKER, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measure was read the first time and transmitted to the Committee on Rules for assignment:

Assembly Bill 145—An act to amend Section 185020 of the Public Utilities Code, relating to high-speed rail.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Senate Chamber, January 17, 2020

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

SB 702

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

PORTANTINO, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 702—An act to amend Section 399.13 of the Public Utilities Code, relating to energy.

Bill read second time.

The amendments were read and adopted and the measure ordered printed, engrossed, and re-referred to the committee.



MOTIONS, RESOLUTIONS AND NOTICES**MEASURES WITHDRAWN AND RE-REFERRED TO COMMITTEE**

Without objection, **SB 50** was withdrawn from the Committee on Appropriations and re-referred to the Committee on Rules.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

The following measures were introduced, read the first time, and transmitted to the Committee on Rules for assignment:

Senate Bill 863: By Senator Bates (Coauthors: Senators Jones, Nielsen, and Wilk) (Coauthors: Assembly Members Brough, Daly, Cristina Garcia, Lackey, Mathis, Patterson, Petrie-Norris, and Waldron)—An act to add Section 11831.9 to the Health and Safety Code, relating to substance abuse programs.

Senate Bill 864: By Senator Wilk—An act to amend Section 81014 of the Food and Agricultural Code, relating to hemp.

Senate Bill 865: By Senator Hill—An act to amend Sections 4216, 4216.1, 4216.2, 4216.3, 4216.4, 4216.6, 4216.12, and 4216.17 of the Government Code, relating to excavations.

Senate Bill 866: By Senator Dodd—An act to amend Section 23826.10 of the Business and Professions Code, relating to alcoholic beverages.

Senate Bill 867: By Senator Bates (Coauthors: Senators Borgeas, Chang, Dahle, Grove, Jones, Moorlach, Morrell, Nielsen, and Wilk)—An act to amend Section 2750.3 of the Labor Code, relating to employment.

Senate Bill 868: By Senator Bates (Coauthors: Senators Borgeas, Chang, Dahle, Grove, Jones, Moorlach, Morrell, Nielsen, and Wilk)—An act to amend Section 2750.3 of the Labor Code, relating to employment.

Senate Bill 869: By the Committee on Governmental Organization (Senators Dodd (Chair), Allen, Archuleta, Borgeas, Bradford, Chang, Galgiani, Glazer, Hill, Hueso, Jones, Nielsen, Portantino, Rubio, Wiener, and Wilk)—An act to amend Section 19819 of the Business and Professions Code, relating to gambling.

REQUESTS TO ADJOURN IN MEMORIAM

Senator Wiener requested that when the Senate adjourns this day it do so in memory of Burk “Buck” Delventhal of San Francisco.

Senator Leyva requested that when the Senate adjourns this day it do so in memory of Allen Joseph Urkofsky of Sacramento.

Senator Skinner requested that when the Senate adjourns this day it do so in memory of Art Shanks of Oakland.

Senator Dodd requested that when the Senate adjourns this day it do so in memory of Aaron Matthew Kreimeier of Napa and Patrick Raymond Salmon of Abington.



Senator Portantino requested that when the Senate adjourns this day it do so in memory of Eugene Miller of Burbank and Otis Parker of La Cañada.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned pursuant to the Senators' requests until 2 p.m., Tuesday, January 21, 2020.

MATHEW BURNS, Minute Clerk

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